

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES OF AMERICA

v.

RICHARD TYLER HUNSINGER

**JUDGMENT IN A CRIMINAL CASE**

Case Number: 1:22-CR-0386-AT-1

USM Number: 16066-509

John R. Lovell

Defendant's Attorney

**THE DEFENDANT:**

The defendant pleaded guilty to counts 1 and 2.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 111(a)(1) and (b) and 2	Assaulting a Federal Officer	July 2020	1
18 U.S.C. §§ 1361 and 2	Damage to Federal Property Greater than \$1,000	July 2020	2

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of material changes in economic circumstances.

February 13, 2023

Date of Imposition of Judgment



Signature of Judge

AMY TOTENBERG, SENIOR U. S. DISTRICT  
JUDGE

Name and Title of Judge

February 16, 2023

Date

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Judgment in a Criminal Case  
Sheet 2 -- Imprisonment

### IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: **THIRTY-TWO (32) MONTHS as to each of Counts 1 and 2 to run CONCURRENTLY for a total term of imprisonment of THIRTY-TWO (32) MONTHS. The Court recommends that the Defendant be given credit by BOP for all time served in pretrial detention.**

The Court recommends the defendant be evaluated for enrollment in the intensive drug treatment program (RDAP), or, if not available, another appropriate substance abuse program.

The Court recommends that defendant receive individual and group mental health counseling for at least ONE (1) YEAR during his term of incarceration.

The Court recommends that defendant serve his term of imprisonment at the Bureau of Prisons FPC Montgomery facility or another comparable low security facility near the Atlanta, Georgia area.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons after issuance of this Judgment upon notice the United States Marshal, with a report date of approximately 45 days from the date of this judgment or in that range of time.

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**RETURN**

I have executed this judgment as follows:

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Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_ , with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

\_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

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Judgment in a Criminal Case  
Sheet 3 -- Supervised Release

### **SUPERVISED RELEASE**

Upon release from imprisonment, you will be on supervised release for a term of: **TWO (2) YEARS as to each of Counts 1 and 2 to run CONCURRENTLY for a total term of supervised release of TWO (2) YEARS.**

You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of the time you are released from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time.

You may move to modify or terminate your term of supervised release after successful completion of 14 months of supervised release.

### **MANDATORY CONDITIONS**

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. You must cooperate in the collection of DNA as directed by the probation officer.
5. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. (The terms of restitution shall be determined at a subsequent hearing.)
6. You must not own, possess or have under your control any firearm, dangerous weapon or other destructive device as those terms are defined in 18 U.S.C. § 921 (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person).

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

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## STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so based on your enrollment in a full-time educational program or other vocational skills program. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

### U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see Overview of Probation and Supervised Release Conditions, available at: [www.uscourts.gov](http://www.uscourts.gov)

I understand that a violation of any of these conditions of supervised release may result in modification, extension, or revocation of my term of supervision.

Defendant's Signature \_\_\_\_\_ Date \_\_\_\_\_

USPO's Signature \_\_\_\_\_ Date \_\_\_\_\_

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### **SPECIAL CONDITIONS OF SUPERVISION**

As part of your supervised release, you must comply with the following special conditions of supervision.

For the first EIGHT (8) MONTHS of supervised release, you must participate in the home detention program and abide by all requirements of the program, which shall include a location verification system. You shall be restricted to your residence at all times except for employment; education; religious service; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; self-care needs (food shopping; a specified exercise program) or other activities as pre-approved by the Court or probation officer. You must reside either with your parents at their home in Virginia, or at a residence with another reliable individual as pre-approved by your supervising officer in either Virginia or Atlanta, Georgia. The Defendant may move to modify this eight-month period of home detention to a shorter period of months or to terminate the home detention requirement upon a showing of his full compliance with the terms of the supervised release after having served three and a half months of home detention.

An officer may conduct a search of your home, vehicle, phones, computers and other devices as set forth below if reasonable suspicion exists that you violated a condition of your supervision and if the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner. If such a search is legally justified, you must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

You must permit confiscation and/or disposal of any material considered to be contraband or any other item which may be deemed to have evidentiary value of violations of supervision.

You must make full and complete disclosure of your finances and submit to an audit of your financial documents at the request of your probation officer. You must provide the probation officer with full and complete access to any requested financial information and authorize the release of any financial information. The probation office may share the financial information with the United States Attorney's Office.

You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

You must participate in a mental health treatment program of your choosing for a period SIX (6) MONTHS and follow the rules and regulations of that program. You must report to your supervising officer the program and paper confirmation of your attendance on a monthly basis.

You must take all mental health medication prescribed by your treating provider. You must pay for all or part of the costs of medication based on your ability to pay unless excused by the probation officer.

You must not use or possess any controlled substances without a valid prescription. If you do have a valid prescription, you must disclose the prescription information to the probation officer and follow the instructions on the prescription.

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Judgment in a Criminal Case  
Sheet 5 -- Criminal Monetary Penalties

## CRIMINAL MONETARY PENALTIES

### Special Assessment

TOTAL \$200.00, which shall be due immediately. The assessment shall be paid to Clerk, U.S. District Court, Northern District of Georgia.

The Court finds that the defendant does not have the ability to pay a fine and cost of incarceration. The Court waives the fine and cost of incarceration in this case.

### Fine

TOTAL \$0

The determination of restitution is deferred until March 27, 2023. *An Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

Restitution payments shall be DEFERRED for a period of FOUR (4) MONTHS after release from custody and payments shall not total more than 15% of defendants total income.